

Docket No. HOE97/151US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**DEC 22 2008**

Applicants: Forbert et al.

Group Art Unit: 1793

Appln. No.: 09/447,030

Examiner: Nguyen, Ngoc Yen M.

Filed: November 22, 1999

Confirmation No.: 3281

For: **METHOD FOR PRODUCING SUBSTANTIALLY GLOBULAR  
LYOGELS AND AEROGELS**

OFFICIAL PAPER – Nguyen, Ngoc Yen M.

Facsimile No. 1-571-273-8300

(Total Number of Pages, including this sheet: 3)

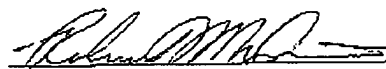
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CERTIFICATE OF TRANSMISSION BY FACSIMILE**

I hereby certify that the attached paper “Combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences & Petition for Extension of Time Under 37 C.F.R. 1.136(a) (Large Entity)” is being transmitted *by facsimile* to the United States Patent and Trademark Office, Fax. No. 1-571-273-8300, on December 22, 2008.



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Enclosure: Combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences & Petition for Extension of Time Under 37 C.F.R. 1.136(a) (Large Entity) (2 pages)

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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**Docket No.  
HOE97/F151

In Re Application Of: Forbert et al.

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Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/447,030	November 22, 1999	Nguyen, Ngoc Yen M.		1793	3281

Invention: **METHOD FOR PRODUCING SUBSTANTIALLY GLOBULAR LYOGELS AND AEROGELS****COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of June 27, 2008 in the above-identified application.

*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated June 27, 2008 finally rejecting Claim(s) **14-22 and 26-28**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month    ☐ Two months    ☒ Three months    ☐ Four months    ☐ Five months

from: September 27, 2008    until: December 27, 2008

*Date**Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$540.00Fee for Extension of Time: \$1,110.00**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,650.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of \_\_\_\_\_ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. **03-0060** in the amount of **\$1,650.00**

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **03-0060**

☒ Any additional filing fees required under 37 C.F.R. 1.16. **12/24/2008 PCH0HP 00000014 030060 09447030**

☒ Any patent application processing fees under 37 CFR 1.17. **01 FC:1401 540.00 DA**  
**02 FC:1253 1110.00 DA**

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **03-0060**

☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**Docket No.  
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In Re Application Of: Forbert et al.

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Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/447,030	November 22, 1999	Nguyen, Ngoc Yen M.		1793	3281

Invention: **METHOD FOR PRODUCING SUBSTANTIALLY GLOBULAR LYOGELS AND AEROGELS****TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
SignatureDated: December 22, 2008

Robert M. Amici  
Reg. No. 52,554  
Cabot Corporation  
157 Concord Road  
Billerica, MA 01821

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on _____ (Date)	
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